

DOCKET FILE COPY ORIGINAL

From: "Dan Robinson" <danr@mail.intervista.com>
To: A7.A7(WKENNARD)
Date: 5/19/98 2:19pm
Subject: Community stations and local rights

DM-9208

Dear Mr. Kennard,

I am writing to express that I am extremely disturbed by the efforts of NAB (National Association of Broadcasters) and the FCC to close down unlicensed community radio stations. I consider it to be highly immoral, and a direct First Amendment threat in more ways than one.

The airwaves belong to the people of the United States, and it is our right to determine how they should be used. In recent years (since 1979) the FCC seems to have forgotten this, and assumes that the air is "owned" by the high-power stations that license frequencies. Licensing is not the same as ownership. If the people of a community want to use the airwaves in their close vicinity to host community radio, it should be their decision to make, since we, the people, are the "owners" of the local airwaves.

It would be very disturbing to most people to hear that the FCC determines, for instance, that the airwaves within their houses are "owned" by a group of 5 huge corporations - most of which are indirectly owned by non-US citizens. Since this is not a battle the high-power stations could possibly win in the court of public opinion, they rely on big money lobbying through the NAB directly with the FCC, completely circumventing democratic decision making and overriding any popular control over one of our most valuable natural resources.

On a related topic, I urge you to rule in the spirit of FCC RM-9208, "In the Matter of Microstation Radio Broadcast Service".

Already, the vast majority of broadcasting licenses are held by a small number of radio networks (which renders invalid the reasoning behind the 1943 and 1969 Supreme Court decisions regarding First Amendment issues vs. the right to broadcast). The cost of obtaining a license is prohibitive for any station without a lot of money behind it, which prevents any community stations from being licensed. Many would gladly get a license if the cost was more in line with actual FCC administration costs.

Stations up to 100 watts were completely legal until 1979, when the FCC bowed to commercial industry pressure to silence them. This is a clear case of when "legal" does not necessarily mean "right". Community stations do not want to be illegal, but the FCC has now defined them to be so.

Note that few if any community radio stations have any advertising or otherwise make any money. They all exist for the sole purpose of helping the community. This is in contrast to virtually all stations that can afford a broadcasting license.

Before you (the FCC) take any further action against community radio stations, I urge you to solicit views from the communities involved, instead of simply trusting the NAB to speak for everybody. Why should I have absolutely no say in whether a local station I enjoy and depend upon can be broadcast? Remember, citizens cannot afford to lobby like commercial interests can, but it is citizens

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you are ultimately trying to serve best.

Thank you for your time.

Respectfully,

Dan Robinson
danr@intervista.com

From: Nadine Lurie Batya <nbatya@sfaids.ucsf.edu>
 To: "wkennard@fcc.gov" <wkennard@fcc.gov>
 Date: 5/19/98 11:07am
 Subject: FCC vs. community radio stations

RM-9208

> Dear Mr. Kennard,

>

> I am writing to express that I am extremely disturbed by the efforts of
 > NAB (National Association of Broadcasters) and the FCC to close down
 > unlicensed community radio stations. I consider it to be highly immoral,
 > and a direct First Amendment threat in more ways than one.

>

> On a related topic, I urge you to rule in the spirit of FCC RM-9208, "In
 > the Matter of Microstation Radio Broadcast Service".

>

> I know that the real reason large radio corporations are trying to
 > exterminate community stations is to
 > strengthen their oligarchy control over all radio broadcasting in this
 > country. Already, the vast majority of broadcasting licenses are held by
 > a small number of radio networks (which renders invalid the reasoning
 > behind the 1943 and 1969 Supreme Court decisions regarding First Amendment
 > issues vs. the right to broadcast). The cost of obtaining a license is
 > prohibitive for any station without a lot of money behind it, which
 > prevents any community stations from being licensed. Many would gladly
 > get a license if the cost was more in line with actual FCC administration
 > costs.

>

> Remember, stations up to 100 watts were completely legal until 1979, when
 > the FCC bowed to commercial industry pressure to silence them. This is a
 > clear case of when "legal" does not necessarily mean "right". Community
 > stations do not want to be illegal, but the FCC has now defined them to be
 > so.

>

> Note that few if any community radio stations have any advertising or
 > otherwise make any money. They all exist for the sole purpose of helping
 > the community. This is in contrast to virtually all stations that can
 > afford a broadcasting license.

>

> Radio is a powerful technology, with vast potential to help society
 > because of its low cost on both the transmitting and receiving end.
 > Community radio stations provide a valuable service, spreading local
 > information and news that a powerful station 100 miles away wouldn't be
 > bothered with. In particular, they provide a community-based news outlet,
 > extremely valuable in this day of increasing corporate control and
 > centralization of news media.

>

> One responsibility of the FCC is to promote diversity on the airwaves.
 > Outlawing community radio stations, while favoring large radio
 > conglomerates, goes directly against this goal.

>

> I was upset a couple of months ago when my own favorite radio station was
 > shut down by the FCC for lack of a license. It was a low-powered station
 > located a few blocks from my house, with a broadcast range of about a
 > mile. It provided news, information, and opinions relevant to the
 > neighborhood, and was a popular fixture of the community. It was a
 > terrible loss when it was shut down, and many people miss it.

>

> Contrary to their claim, NAB does NOT represent all radio broadcasters,
 > and it is dishonest for them to claim so. In particular, they do not
 > represent those who still have a sense of ethics beyond a pure profit

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> motive, who still care anything about community, and who still care about
> democracy and equal treatment under the law.

>

> Before you (the FCC) take any further action against community radio
> stations, I urge you to solicit views from a variety of parties, instead
> of simply trusting the NAB to speak for everybody. Remember, citizens
> cannot afford to lobby like commercial interests can, but it is citizens
> you are ultimately trying to serve best.

>

> Thank you for your time.

>

>

> Respectfully,

>

Nadine Batya
Office Manager
UCSF AIDS Program

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